

AMENDMENTS TO THE CLAIMS:

The listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

Claims 1-53. (Canceled)

54. (Currently Amended) A medical device to treat the heart, comprising:
a plurality of non-overlapping hinge elements ~~extending~~ are adapted to
extend circumferentially ~~on~~ around an outer surface of the heart to impart compressive
force on the heart during diastole and systole; and
the hinge elements being configured to be delivered minimally invasively.

55. (Currently Amended) The medical device of claim 54, wherein the hinge
elements are adapted to extend circumferentially around the heart and are self-sizing.

Claim 56. (Cancel)

57. (Currently Amended) The medical device of claim 54, wherein the hinge
elements are adapted to extend circumferentially around the heart and are self-tensioning.

Claims 58 and 59. (Cancel)

60. (Currently Amended) The medical device of claim 54, wherein the hinge
elements have a compliance that increases as a function of increased stretch.

61. (Currently Amended) The medical device of claim 54, wherein the hinge
elements have a compliance that does not decrease as a function of increased stretch.

62. (Currently Amended) The medical device of claim 54, wherein the hinge
elements are formed into strips that are adapted to extend circumferentially around the
heart.

63. (Previously Presented) The medical device of claim 54, wherein the hinge elements are formed into strips that are compressible to a low profile, minimally invasive delivery diameter.

Claims 64 and 65. (Canceled)

66. (Previously Presented) The medical device of claim 54, wherein the hinge elements are formed from Nitinol.

67. (Previously Presented) The medical device of claim 54, wherein the hinge elements are elastic and have a deformed shape and a recovered shape when a load is applied and removed respectively.

68. (Previously Presented) The medical device of claim 54, wherein the hinge elements are compressible to a delivery diameter no greater than minimally invasive access between the patient's ribs.

69. (Previously Presented) The medical device of claim 54, wherein the hinge elements are compressible to a delivery diameter no greater than minimally invasive access subcostally.

70. (Previously Presented) The medical device of claim 54, wherein the hinge elements are compressible to a delivery diameter no greater than minimally invasive access percutaneously through the skin.